

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEE FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of : Attn: **BOX REISSUE**
U.S. Patent No. 5,600,672 : Atty. Docket No. **2000_1390**
Issued February 4, 1997 :
Mitsuaki OSHIMA et al. :
Serial No. NEW :
Filed October 5, 2000 :
COMMUNICATION SYSTEM :
(Reissue Divisional
of Serial No. 09/244,037,
Filed February 4, 1999)

COVER LETTER FOR APPLICATION FILED
WITHOUT EXECUTED DECLARATION

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

The above-identified application has been submitted without an executed oath or declaration pursuant to 37 C.F.R. 1.41(c).

It is respectfully requested that this application be assigned a serial number and awarded a filing date pursuant to 37 C.F.R. 1.53.

A duly executed oath or declaration pursuant to 37 C.F.R. 1.63 will be submitted after notification by the U.S. Patent and Trademark Office pursuant to 37 C.F.R. 1.53(d).

095004 0242960

THE **NEW** **YORK** **PUBLIC** **LIBRARY**

- 2 -

I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NO.	U.S. FILING DATE	STATUS: PATENTED, PENDING, ABANDONED
07/857,627	March 25, 1992	ABANDONED
09/244,037	February 4, 1999	PENDING

And I hereby appoint Michael R. Davis, Reg. No. 25,134; Matthew M. Jacob, Reg. No. 25,154; Jeffrey Noltan, Reg. No. 25,408; Warren M. Cheek, Jr., Reg. No. 33,367; Nils Pedersen, Reg. No. 33,145; and Charles R. Watts, Reg. No. 33,142, who together constitute the firm of WENDEROTH, LIND & PONACK, L.L.P., jointly and severally, attorneys to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith.

I hereby authorize the U.S. attorneys named herein to accept and follow instructions from AOYAMA & PARTNERS as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and myself. In the event of a change in the persons from whom instructions may be taken, the U.S. attorneys named herein will be so notified by me.

Send Correspondence to

Direct Telephone Calls to:

WENDEROTH, LIND & PONACK, L.L.P.
2033 K Street, N.W., Suite 800
Washington, D.C. 20006

WENDEROTH, LIND & PONACK, L.L.P.
Area Code (202) 721-8200

Direct Facsimile Messages to:
Area Code (202) 721-8250

Full Name of First Inventor	FAMILY NAME OSHIMA	FIRST GIVEN NAME Mitsuaki	SECOND GIVEN NAME
Residence & Citizenship	CITY Kyoto-shi	STATE OR COUNTRY Japan	COUNTRY OF CITIZENSHIP Japan
Post Office Address	ADDRESS Matsushita Electric Industrial Co., Ltd.,	CITY 1006, Kadoma, Osaka	STATE OR COUNTRY 571, Japan
Full Name of Second Inventor	FAMILY NAME SAKASHITA	FIRST GIVEN NAME Seiji	SECOND GIVEN NAME
Residence & Citizenship	CITY Osaka	STATE OR COUNTRY Japan	COUNTRY OF CITIZENSHIP Japan
Post Office Address	ADDRESS Matsushita Electric Industrial Co., Ltd.,	CITY 1006, Kadoma, Osaka	STATE OR COUNTRY 571, Japan
Full Name of Third Inventor	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
Residence & Citizenship	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP
Post Office Address	ADDRESS	CITY	STATE OR COUNTRY ZIP CODE

Full Name of Fourth Inventor	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME	
Residence & Citizenship	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP	
Post Office Address	ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE
Full Name of Fifth Inventor	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME	
Residence & Citizenship	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP	
Post Office Address	ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE
Full Name of Sixth Inventor	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME	
Residence & Citizenship	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP	
Post Office Address	ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE

1st Inventor	_____	Date	_____
	Mitsuaki OSHIMA		
2nd Inventor	_____	Date	_____
	Seiji SAKASHITA		
3rd Inventor	_____	Date	_____
4th Inventor	_____	Date	_____
5th Inventor	_____	Date	_____
6th Inventor	_____	Date	_____

Title of Invention COMMUNICATION SYSTEM

REISSUE DECLARATION AND POWER OF ATTORNEY

(X) Original () Supplemental () Substitute () PCT () DESIGN

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that I verily believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Title: COMMUNICATION SYSTEM

of which is described and claimed in:

- ☐ the attached specification, or
☐ the specification in application Serial No. ____, filed ____, and with amendments through (if applicable),
☐ the specification in International Application No. ____, filed ____, and as amended on ____ (if applicable), or
☒ letters patent number 5,600,672 granted on February 4, 1997 and in the attached specification for which I solicit a reissue patent.

I hereby state that I have reviewed and understand the content of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge my duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim priority benefits under Title 35, United States Code, §119 (and §172 if this application is for a Design) of any application(s) for patent or inventor's certificate listed below and have also identified below any application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

COUNTRY	APPLICATION NO.	DATE OF FILING	PRIORITY CLAIMED
Japan	3-62798	March 27, 1991	Yes
Japan	3-95813	April 25, 1991	Yes
Japan	3-155650	May 29, 1991	Yes
Japan	3-182236	July 23, 1991	Yes
Japan	4-60739	March 17, 1992	Yes
Japan	5-132984	May 10, 1993	Yes
Japan	5-261612	September 24, 1993	Yes
Japan	5-349972	December 27, 1993	Yes
Japan	6-79668	March 24, 1994	Yes

I verily believe that the above original patent is partly inoperative by reason of claiming more or less than I had a right to claim.

A Statement of at least One Error

The original patent claims claim more or less than I had a right to claim. For example, the claims do not recite that the apparatus is operable to assign each of first and second data streams to a respective constellation in the signal space to produce modulated signals such that the number of signal points of the first data stream assigned in the signal space is different from the number of signal points of the second data stream assigned in the signal space, and the first data stream has data for demodulation including synchronization data allocated at predetermined intervals.

All errors being corrected in this reissue application up to the time of filing of the present declaration arose without any deceptive intention on my part or on my behalf.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of : Attn: **BOX REISSUE**
U.S. Patent No. 5,600,672 : **Atty. Docket No. 2000_1390**
Issued February 4, 1997 :
Mitsuaki OSHIMA et al. :
Serial No. NEW :
Filed October 5, 2000 :
COMMUNICATION SYSTEM :
(Reissue Divisional
of Serial No. 09/244,037,
Filed February 4, 1999)

CONSENT OF ASSIGNEE AND 37 C.F.R. 3.73(b) STATEMENT

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Matsushita Electric Industrial Co., Ltd., the assignee of the entire interest in the above-mentioned letters patent, hereby consents to the above-identified reissue application.

In accordance with 37 C.F.R. 3.73(b) the assignee hereby establishes its ownership of the above-identified U.S. patent by specifying that evidence of such ownership was recorded on October 10, 1996 in the U.S. Patent and Trademark Office at reel 8174, frame 0306. Accordingly, to the best of the assignee's knowledge and belief, title is in the assignee seeking to take this action.

The undersigned is authorized to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine

[illegible]

Mitsuaki OSHIMA et al.

Jeffrey R. Filipek
Registration No. 41,471
Agent for Patentees

JRF/fs
WENDEROTH, LIND & PONACK, L.L.P.
2033 K St., N.W., Suite 800
Washington, D.C. 20006
Telephone (202) 721-8200
October 5, 2000